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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,043	04/12/2001	Yushi Niwa	070639/0134	2389

22428 7590 06/21/2004

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EXAMINER	
MILLER, BRANDON J	
ART UNIT	**PAPER NUMBER**
2683	7

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/833,043	Applicant(s) NIWA, YUSHI	
	Examiner Brandon J Miller	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *01 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4-5 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Hamada and Davis.

Regarding claim 1 Jones teaches a data distribution system (see col. 4, lines 44-62). Jones teaches a mobile information table for storing reference required time periods which are references of required time periods required when a radio terminal moves to a destination that is a place of a destination of movement from departure places which are origins of movement, respectively (see col. 6, lines 35-51). Jones teaches specifying departure places and destinations stored in the mobile information table in accordance with a movement schedule together with starting time of the movement and the mobile means (see col. 6, lines 35-64). Jones teaches calculating an error in a reference time period when the radio terminal arrives at the respective destinations, based on information specified by movement specifying means (see col. 7, lines 34-42). Jones teaches obtaining the time when the radio terminal arrives at a destination from the respective departure places using the mobile means specified by movement specifying means by correcting an error from the time in case of using the reference required time periods, as time when it arrives at the destination most quickly within a range of error (see col. 7, lines 56-66 and

col. 11, lines 40-52). Jones teaches arrival time point detecting means for comparing arrival time corrected for each destination, which is generated by data distribution plan information generating means, with current time, and detecting a time point when radio terminal arrives at respective destinations (see col. 11, lines 1-11 & 40-52). Jones teaches distribution data storing means for storing a data to be distributed for every destination (see col. 12, lines 36-40 and Fig. 3). Jones does not specifically teach a place where utilization of information distributed in advance, distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations, or movement schedules including date and hour of movement. Hamada teaches a place where utilization of information distributed in advance is conducted by means of a radio terminal, in accordance with mobile means that is used for movement (see col. 4, lines 63-67 and col. 5, lines 1-23). Hamada teaches distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations (see col. 4, lines 63-67 and col. 5, lines 1-23). Davis teaches mention movement schedules including date and hour of movement (see col. 5, lines 26-29). It would have been obvious at the time the invention was made to make the device adapt to specifically include a place where utilization of information distributed in advance, distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations, or movement schedules including date and hour of movement because this would allow for an improved database for storing and retrieving location specific information.

Regarding claim 4 Hamada teaches replacing distribution data distributed when a radio terminal arrived at a previous destination by the destination data distributed when the above-mentioned radio terminal arrived at the new destination (see col. 5, lines 2-10 & 20-23).

Regarding claim 5 Hamada teaches a mobile information table that is suitably updated by means of the newest information (see col. 5, lines 2-10 & 20-23).

Regarding claim 8 Jones teaches a data distribution system (see col. 4, lines 44-62). Jones teaches a mobile information table for storing reference required time periods which are references of required time periods required when a radio terminal moves to a destination that is a place of a destination of movement from departure places which are origins of movement, respectively (see col. 6, lines 35-51). Jones teaches specifying departure places and destinations stored in this mobile information table in accordance with a movement schedule together with starting time of the movement and the mobile means (see col. 6, lines 35-64). Jones teaches measuring longitude and latitude at respective time points during movement of a radio terminal (see col.5, lines 20-26 & 37-40). Jones teaches calculating an error in a reference time period when the radio terminal arrives at the respective destinations, based on information specified by movement specifying means (see col. 5, lines 37-43 and col. 7, lines 34-42). Jones teaches data distribution plan information generating means for obtaining the time when the radio terminal arrives at a destination from the respective departure places using the mobile means specified by movement specifying means by correcting an error calculated by the error calculating means from the time in case of using the reference required time periods, as time when it arrives at the destination most quickly within a range of error (see col. 7, lines 56-66 and col. 11, lines 40-52). Jones teaches arrival time point detecting means for comparing arrival time corrected for each

destination, which is generated by data distribution plan information generating means, with current time, and detecting a time point when radio terminal arrives at respective destinations (see col. 11, lines 1-11 & 40-52). Jones teaches distribution data storing means for storing a data to be distributed for every destination (see col. 12, lines 36-40 and Fig. 3). Jones does not specifically teach a place where utilization of information distributed in advance is conducted by means of a radio terminal, movement schedules including date and hour of movement, or distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations. Hamada teaches a place where utilization of information distributed in advance is conducted by means of a radio terminal, in accordance with mobile means that is used for movement (see col. 4, lines 63-67 and col. 5, lines 1-23). Hamada teaches distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations (see col. 4, lines 63-67 and col. 5, lines 1-23). Davis teaches mention movement schedules including date and hour of movement (see col. 5, lines 26-29). It would have been obvious at the time the invention was made to make the device adapt to specifically include a place where utilization of information distributed in advance is conducted by means of a radio terminal, movement schedules including date and hour of movement, and distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations because this would allow for an improved database for storing and retrieving location specific information.

Regarding claim 9 Hamada teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 10 Hamada teaches a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 11 Jones teaches requesting location information from a radio terminal sent at a first periodic time interval by way of a first radio signal sent from a data distribution system to a radio terminal, wherein requesting determines the first periodic time interval based on a current distance that the radio terminal is away from a next destination of radio terminal (see col. 7, lines 10-13 & 17-25).

Regarding claim 12 Jones teaches a first periodic time interval that is changed to a second periodic time interval that is shorter than the first periodic time interval, by way of a second radio signal sent from a data distribution system to a radio terminal, when a radio terminal is determined to be within a predetermined distance of the next destination of a radio terminal (see col. 12, lines 5-12 & 15-19).

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Hamada, Davis, and Vu.

Regarding claim 2 Jones, Hamada and Davis teach a device as recited in claim 1 except for an error table, a coefficient table for storing variation coefficients of an error in date and hour at departure; and calculating an error by multiplying a corresponding error by variation coefficients of an error in date and hour at departure. Jones does teach representing a standard error of dispersion in time of arrival from a departure place to a destination in accordance with a mobile mean, calculating an error using a corresponding entry of an error in time at departure

(see col. 11, lines 1-11 & 39-49). Davis does teach movement schedules including date and hour of movement (see col. 5, lines 26-29). Vu teach variations of an error in movement (see col. 1, lines 58-63 and col. 2, lines 55-58 & 61-64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include an error table, a coefficient table for storing variation coefficients of an error in date and hour at departure; and calculating an error by multiplying a corresponding error by variation coefficients of an error in date and hour at departure because this would allow for improved updating of location specific information.

Regarding claim 3 Jones, Hamada, Davis, and Vu teach a device as recited in claim 2 except for variation coefficients of an error in the date and hour are different from each other dependent upon a day of week. Davis does teach variations in date and time (see col. 5, lines 27-28). Vu does teach variations of an error that are different from each other dependent upon a day of week (see col. 5, lines 61-64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include variation coefficients of an error in the date and hour are different from each other dependent upon a day of week because this would allow for improved updating of location specific information.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Hamada and Chern.

Regarding claim 6 Jones teaches a data distribution system based on longitude and latitude representing a typical position in destinations that are places where utilization of information distributed in advance is conducted by means of a radio terminal, and areas of those destinations, using longitude and latitude for contrasting errors between typical position and

other positions in destinations and storing them (see col. 4, lines 44-62 and col. 5, lines 10-26 & 37-43). Jones teaches destination specifying means for specifying destinations stored (see col. 6, lines 35-39); and measuring longitude and latitude at respective time points during movement of a radio terminal (see col.5, lines 20-26 & 37-40). Jones teaches arrival time point detecting means for detecting a time point when a position measured arrives within a range of errors centering around a typical position of a corresponding destination stored, when a radio terminal moves to a specified destination (see col. 11, lines 1-11 & 40-52). Jones teaches distribution data storing means for storing a data to be distributed for every destination (see col. 12, lines 36-40 and Fig. 3). Jones does not specifically teach a destination stored in a longitude and latitude table or distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations. Hamada teaches distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations (see col. 4, lines 63-67 and col. 5, lines 1-23). Chern teaches stored longitude and latitude information for specifying a typical position of a corresponding destination. It would have been obvious at the time the invention was made to make the device adapt to specifically include a destination stored in a longitude and latitude table or distributing a distribution data corresponding to a destination from the distribution data storing means every time arrival time point detecting means detects arrival of a radio terminal at the respective destinations because this would allow for more efficient retrieval of location specific information.

Regarding claim 7 Hamada teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bar U.S. Patent No. 6,456,852 discloses an Internet distributed real-time wireless location database.

Negishi U.S. Patent No. 5,974,330 discloses a portable telephone with current location display and network therof.

Yost U.S. Patent No. 6,097,959 discloses a system and method for accurate positioning of mobile terminals.

Ono et al. U.S. Patent No. 6,223,027 discloses an image data transmission system and method.

Uehara et al. U.S. Patent No. 6,477,380 discloses a system and method for estimating location of mobile station.

Konig U.S. Patent No. 5,722,083 discloses directing a subscriber toward a destination within an SDMA mobile radio network.

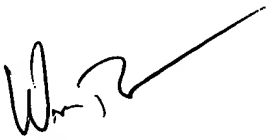
Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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June 9, 2004

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